

SD IA-202 (12/09)

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF IOWA

IN RE	)	CHAPTER 7
	)	CASE NO. 18-00622-als7
	)	
ZERO ENERGY SYSTEMS, LLC,	)	NOTICE OF AND MOTION FOR
	)	COMPROMISE OR SETTLEMENT OF
Debtor.	)	CONTROVERSY AND BAR DATE
	)	NOTICE
	)	4/3/19

The undersigned Trustee has entered into a compromise or settlement of controversy as described below and moves the Court to approve said compromise or settlement of controversy as follows:

Trustee has filed a Complaint against McRae Engineering ("McRae") in Adversary Proceeding described as Charles L. Smith v. McRae Engineering, Case No. 19-30012 ("Adversary Proceeding").

The Trustee and McRae have agreed to compromise their dispute by having McRae pay to the Trustee the sum of \$25,000.00 in total satisfaction of any and all claims of the Trustee against Fitzgerald in regard to the aforesaid Adversary Proceeding.

The Trustee believes that this settlement is fair and reasonable and is in the best interest of the Bankruptcy Estate taking into consideration the risk, cost, and delay of further litigation.

NOTICE IS HEREBY GIVEN, any objections thereto must be served on the undersigned Trustee at the address listed below; the United States Trustee at 210 Walnut Street, Room 793, Des Moines, Iowa 50309-2108; the Debtor; and Debtor's counsel. Any objection must be filed with the Clerk of Bankruptcy Court at 110 E. Court Avenue, #300, Des Moines, Iowa 50309 within 21 days of the date of this notice and motion.

/s/ Charles L. Smith  
Charles L. Smith, Trustee, AT0007415  
Telpner Peterson Law Firm, LLP  
25 Main Place, Suite 200  
Council Bluffs, IA 51503  
Telephone: (712) 325-9000  
Facsimile: (712) 328-1946  
E-mail: [csmith@telpnerlaw.com](mailto:csmith@telpnerlaw.com)